

**COURT OF APPEAL  
STATE OF CALIFORNIA  
THIRD APPELLATE DISTRICT**

1

**The Minutes**

**October 3, 2005**

- C044213      THE PEOPLE v. DIETLE      (Not for Publication)**  
The judgment is modified...As modified, the judgment is affirmed...  
SCOTLAND, P.J.  
We Concur:    Blease, J.  
                 Cantil-Sakauye, J.
- C047712      THE PEOPLE v. PULLEY      (Not for Publication)**  
The judgment is affirmed...  
BLEASE, Acting P.J.  
We Concur:    Sims, J.  
                 Hull, J.
- C048130      HERZBERG et al. v. COUNTY OF PLUMAS      (CERTIFIED FOR PUBLICATION)**  
The judgment is affirmed. Costs are awarded to respondent pursuant to  
California Rules of Court, rule 27 (a).  
CANTIL-SAKAUYE, J.  
We Concur:    Davis, Acting P.J.  
                 Morrison, J.
- C048274      GETTINGS v. GETTINGS      (Not for Publication)**  
The judgment is affirmed.  
SCOTLAND, P.J.  
We Concur:    Raye, J.  
                 Hull, J.
- C049391      KAUFMAN & BROAD COMMUNITIES, INC. et al. v. PERFORMANCE  
PLASTERING, INC.**  
But we do not write on a clean slate.  
SIMS, J.  
We Concur:    Scotland, P.J.  
                 Davis, J.

**October 4, 2005**

- C043892      THE PEOPLE v. SMITH      (Not for Publication)**  
The judgment is affirmed.  
SIMS, Acting P.J.  
We Concur:    Nicholson, J.  
                 Butz, J.

**COURT OF APPEAL  
STATE OF CALIFORNIA  
THIRD APPELLATE DISTRICT**

2

**The Minutes**

**October 4, 2005, continued**

- C044390      THE PEOPLE v. RENFRO      (Not for Publication)**  
The judgment is affirmed.  
RAYE, J.  
We Concur: Scotland, P.J.  
Butz, J.
- C046479      THE PEOPLE v. KING      (Not for Publication)**  
The judgment is affirmed.  
SCOTLAND, P.J.  
We Concur: Raye, J.  
Hull, J.
- C048055      THE PEOPLE v. BREWER      (Not for Publication)**  
The judgment is affirmed.  
RAYE, J.  
We Concur: Davis, Acting P.J.  
Hull, J.
- C048137      DA VEIGA v. AZIMI      (Not for Publication)**  
The judgment (order) is affirmed. Because plaintiff made no appearance on appeal, there are no costs to award.  
HULL, J.  
We Concur: Sims, Acting P.J.  
Nicholson, J.
- C048162      CITY OF STOCKTON et al. v. THE SUPERIOR COURT OF SACRAMENTO COUNTY and CIVIC PARTNERS STOCKTON, LLC.      (Not for Publication)**  
The alternative writ, having fulfilled its purpose, is hereby dissolved...  
HULL, J.  
We Concur: Nicholson, Acting P.J.  
Morrison, J.
- C048963 & C049413      In re A.M.; SACRAMENTO COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES v. ALICE B.      (Not for Publication)**  
The orders that are the subject of these appeals are affirmed.  
SCOTLAND, P.J.  
We Concur: Sims, J.  
Davis, J.

**COURT OF APPEAL  
STATE OF CALIFORNIA  
THIRD APPELLATE DISTRICT**

3

**The Minutes**

**October 5, 2005**

<b>C046872</b>	<b>THE PEOPLE v. DEAN</b> The judgment is affirmed. BUTZ, J. We Concur: Morrison, Acting P.J. Cantil-Sakauye, J.	<b>(Not for Publication)</b>
<b>C047198</b>	<b>THE PEOPLE v. ZITANO</b> The judgment is affirmed. BUTZ, J. We Concur: Blease, Acting P.J. Hull, J.	<b>(Not for Publication)</b>
<b>C048105</b>	<b>THE PEOPLE v. AYALA-SANCHEZ</b> The judgment is affirmed. SCOTLAND, P.J. We Concur: Morrison, J. Butz, J.	<b>(Not for Publication)</b>
<b>C048335</b>	<b>THE PEOPLE v. SCOTT</b> The judgment is affirmed. SCOTLAND, P.J. We Concur: Morrison, J. Butz, J.	<b>(Not for Publication)</b>
<b>C048883</b>	<b>THE PEOPLE v. NEWMAN</b> The judgment is affirmed. BUTZ, J. We Concur: Scotland, P.J. Morrison, J.	<b>(Not for Publication)</b>
<b>C046646</b>	<b>PALAZZOLO, D.D.S., INC. et al. v. NEIL &amp; ASSOCIATES, INC. et al.</b> The judgment is reversed... BLEASE, J. We Concur: Scotland, P.J. Cantil-Sakauye, J.	<b>(Not for Publication)</b>

**COURT OF APPEAL  
STATE OF CALIFORNIA  
THIRD APPELLATE DISTRICT**

4

**The Minutes**

**October 5, 2005, continued**

**C048770      In re JOSEPH B. et al.; SACRAMENTO COUNTY DEPARTMENT OF  
HEALTH AND HUMAN SERVICES v. STARLA V.  
(Not for Publication)**

The order is affirmed.  
BLEASE, Acting P.J.  
We Concur:   Hull, J.  
                  Butz, J.

**C050310      In re BRETT LEE WATT, on Habeas Corpus  
THE COURT:**

... The order to show cause is hereby discharged and the habeas corpus  
petition dismissed.  
SIMS, Acting P.J.  
DAVIS, J.  
CANTIL-SAKAUYE, J.

**October 6, 2005**

**C045222      THE PEOPLE v. GARVEY      (Not for Publication)**

The judgment is affirmed.  
BUTZ, J.  
We Concur:   Sims, Acting P.J.  
                  Nicholson, J.  
I concur in Justice Butz's fine opinion.  
I write separately...  
                  SIMS, Acting P.J.  
I concur:      Nicholson, J.

**C045875      THE PEOPLE v. KORN      (Not for Publication)**

The judgment is affirmed.  
SIMS, J.  
We Concur:   Scotland, P.J.  
                  Raye, J.

**C047665      THE PEOPLE v. SHOULDERS      (Not for Publication)**

The judgment is affirmed.  
ROBIE, J.  
We Concur:   Scotland, P.J.  
                  Blease, J.

**COURT OF APPEAL  
STATE OF CALIFORNIA  
THIRD APPELLATE DISTRICT**

5

**The Minutes**

**October 6, 2005, continued**

**C047873      THE PEOPLE v. HARRIS      (Not for Publication)**

The judgment is affirmed.

SIMS, J.

We Concur:    Blease, Acting P.J.

Hull, J.

**C049019      THE PEOPLE v. VANNATA      (Not for Publication)**

The judgment is affirmed.

ROBIE, J.

We Concur:    Scotland, P.J.

Blease, J.

**October 7, 2005**

**C045197      THE PEOPLE v. HALLQUIST      (Certified for Partial Publication)**

The \$1,326 in fines imposed in count 2 are ordered stayed. In all other respects, the judgment is affirmed. (CERTIFIED FOR PARTIAL PUBLICATION.)

NICHOLSON, J.

We Concur:    Sims, Acting P.J.

Cantil-Sakauye, J.

**C046142      THE PEOPLE v. VILLANUEVA      (Not for Publication)**

The 10-year enhancement for the two prior serious felony convictions is reduced to a single five-year enhancement... In all other respects, the judgment is affirmed.

BLEASE, Acting P.J.

We Concur:    Davis, J.

Butz, J.

**C047015      THE PEOPLE v. CORNWALL      (Not for Publication)**

The judgment is affirmed.

NICHOLSON, J.

We Concur:    Sims, Acting P.J.

Butz, J.

**C048183      THE PEOPLE v. STANLEY      (Not for Publication)**

The \$14,400 fines imposed pursuant to each of section 1202.4, subdivision (b)(1) and 1202.45 are reduced to \$10,000 each... In all other respects, the judgment is affirmed.

ROBIE, J.

We Concur:    Davis, Acting P.J.

Nicholson, J.

**COURT OF APPEAL  
STATE OF CALIFORNIA  
THIRD APPELLATE DISTRICT**

6

**The Minutes**

**October 7, 2005, continued**

- C048269      THE PEOPLE v. HILL      (Not for Publication)**  
The judgment is affirmed.  
BLEASE, Acting P.J.  
We Concur: Hull, J.  
Butz, J.
- C044267      In re BAY-DELTA PROGRAMMATIC ENVIRONMENTAL IMPACT REPORT  
C044577      COORDINATED PROCEEDINGS;  
LAUB et al. v. DAVIS et al.  
REGIONAL COUNCIL OF RURAL COUNTIES et al. v. STATE OF  
CALIFORNIA et al. and DEPARTMENT OF WATER RESOURCES et al. and  
SAN JOAQUIN RIVER GROUP AUTHORITY et al.  
(CERTIFIED FOR PUBLICATION)**  
The judgment in *Laub v. Davis* is reversed... In all other respects, it is affirmed...  
HULL, J.  
We Concur: Sims, Acting P.J.  
Butz, J.
- C046602      KNIGHTEN v. GATEWAY UNIFIED SCHOOL DISTRICT      (Not for Publication)**  
The judgment is reversed...  
NICHOLSON, J.  
We Concur: Blease, Acting P.J.  
Hull, J.
- C048465      MENDA v. COLDEN 1 CREDIT UNION      (Not for Publication)**  
The judgment of dismissal is affirmed...  
NICHOLSON, J.  
We Concur: Sims, Acting P.J.  
Hull, J.
- C048504      In re TAYLOR L.; THE PEOPLE v. TAYLOR L.      (Not for Publication)**  
The judgment (order fining the minor and suspending his driver's license) is reversed.  
BLEASE, Acting P.J.  
We Concur: Hull, J.  
Butz, J.

